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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,834	12/08/2003	Nick Kuo	JCLA11759	5204
27765	7590	07/05/2006	EXAMINER	
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			ANDUJAR, LEONARDO	
			ART UNIT	PAPER NUMBER
			2826	

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/730,834	KUO ET AL.	
	Examiner	Art Unit	
	Leonardo Andújar	2826	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13, 15-21, 23-35, 37-44 and 46-50 is/are pending in the application.
- 4a) Of the above claim(s) 23, 24, 35, 37 and 46-50 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13, 15-21, 25-34, 38-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/16/2006 has been entered.

Election/Restrictions

2. Applicant's election without traverse of species 4 (figs. 1d and 2d) in the reply filed on 9/07/2005 is acknowledged. Amended claims 23-24, 35, 37 and 46-50 were withdrawn from consideration because they are not supported by the elected species. Note that in figure 2 does not show "a third portion" (emphasis added). Note that the elected species includes only two portions one for a solder bump connection and a second one for testing or wire bonding.

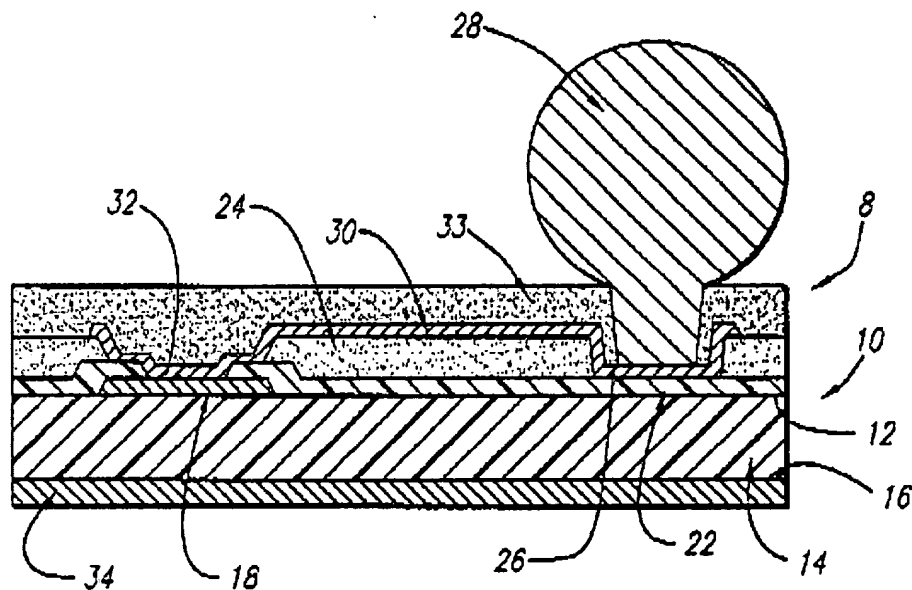
Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

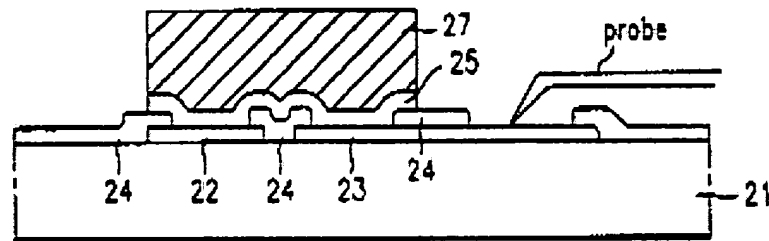
4. Claims 1, 4, 5, 8-11, 13, 17-20, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elenius et al. (US 6,287,893) in view of Kim (US 5,854,513).

5. Regarding claim 1, Elenius (e.g. figs. 1 & 2) shows a substrate 14, a metallization structure 18 over the semiconductor substrate; a passivation layer 22 over the metallization structure 18, wherein an opening in the passivation layer exposes a top surface of the metallization structure and a patterned circuit 30 connected to the top surface, wherein the patterned circuit layer comprises a first portion having a bump 28 formed thereover and a second portion (col. 1/ls. 22-45 & col. 6/ls. 1-37).



Elenius does not teach a testing pad or second portion used to be tested thereto. Nevertheless, Kim (e.g. fig. 3) shows a testing pad 23 electrically connected to a bump pad 22. This type of embodiment prevent decreases in testing reliability caused by damages on the surface of the bump and polluting material thereby enhancing its yield with respect to bonding (col. 2/ls. 10-30).

FIG.3



It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a second portion used to be tested thereto or include a test pad electrically in order to prevent decreases in testing reliability caused by damages on the surface of the bump and polluting material during the testing process, thereby enhancing its yield with respect to bonding as taught by Kim.

6. Regarding claims 4 and 5, Elenius teaches that the patterned circuit comprises copper or nickel (col. 7/lls. 8-48).

7. Regarding claims 8 and 9, Elenius teaches a polymer layer 24 (e.g. polyimide) over the passivation layer whereon the patterned circuit layer is over the polymer layer (col. 6/lls. 51-56).

8. Regarding claims 10 and 11, Elenius shows a polymer layer 33 (e.g. polyimide) on the patterned circuit layer, an opening in the polymer layer exposing the first portion (col. 7/lls. 50-54).

9. Regarding claim 13, Elenius in view of Kim shows that the patterned circuit comprises a metal trace connecting the first and second portions.

10. Regarding claim 17, Elenius shows a bump on the first portion.

11. Regarding claim 18, Elenius discloses a nickel layer between the bump and the first portion (col. 7/lls. 8-48).

12. Regarding claim 19, Elenius discloses that the bump comprises a solder (col. 7/ll. 62).

13. Regarding claim 20, Elenius discloses a copper layer between the bump and the first portion includes a copper layer between the bump and the first portion (col. 7/lls. 8-48).

14. Regarding claims 25 and 26, Elenius in view of Kim teaches most aspects of the instant invention except for the specific pitch between first and second portion is less than 300 micrometers or less than 1 micrometer. However, it is known in the art that pitches are subjected to optimization, it is desirable to minimize the pitch between two contact areas the downscaling of the minimum feature sizes of the device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to minimize the pitch between the first and second portions disclosed by Elenius in view of Kim to effectively reduce the overall device's size as it is known in the art. With regards to the specific pitches claimed by applicant i.e., a less than 300 micrometers or less than 1 millimeter, absent of any criticality is only considered to be the "optimum" pitch of the pitch disclosed by the Prior Art that a person having ordinary skill in the art would have been able to determine using routine experimentation based, among other things, on the desired accuracy, size reduction, manufacturing costs, etc. (see *In re Boesch*, 205 USPQ 215 (CCPA 1980)), and since neither non-obvious nor unexpected results, i.e., results which are different in kind and not in degree from the results of the

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prior art, will be obtained as long as filled groove is used as already suggested by the Prior Art. Moreover, the specification contains no disclosure of either the critical nature of the claimed arrangement or any unexpected results arising therefrom. Where patentability is said to be based upon particular chosen dimensions or upon another variable recited in a claim, the applicant must show that the chosen dimensions are critical. *In re Woodruff*, 919 F.2d 1575, 1578, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990)

15. Claims 2 and 3, are rejected under 35 U.S.C. 103(a) as being unpatentable over Elenius et al. (US 6,287,893) in view of Kim (US 5,854,513) further in view of Sato et al. (US 4,051,508).

16. Regarding claim 2 and 3, Elenius in view of Kim teaches that most aspect of the instant invention except for a patterned circuit layer comprising a gold layer. Therefore, Elenius in view of Kim does not teach that the gold layer has a thickness greater than one micron. Nevertheless, Sato teaches that pattern circuit layer comprising a gold layer of 2 microns (col. 34/35). It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the pattern circuit layer disclosed by Elenius in view of Kim comprising gold layer of 2 microns as suggested by Sato to increase the electrical conductivity of the patterned circuit layer and because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

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17. Claims 6 and 7, are rejected under 35 U.S.C. 103(a) as being unpatentable over Elenius et al. (US 6,287,893) in view of Kim (US 5,854,513) further in view of Lee (US 20040036170).

18. Regarding claim 6 and 7, Elenius in view of Kim teaches most aspects of the instant invention including a patterned circuit layer (e.g. UBM). Elenius in view of Kim does not disclose that the patterned circuit layer includes a copper layer and a gold layer being over the copper layer. Therefore, Elenius in view of Kim does not teach a nickel layer between a copper layer and a gold layer. Nevertheless, Lee teaches an UBM comprising a copper layer, a gold layer over the copper layer and a nickel layer therebetween (pp 0006). It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the pattern circuit layer/UBM disclosed by Elenius in view of Kim comprising copper layer, a gold layer over the copper layer and a nickel layer therebetween as suggested by Lee to increase the electrical conductivity of the patterned circuit layer and because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

19. Claims 15 and 16, are rejected under 35 U.S.C. 103(a) as being unpatentable over Elenius et al. (US 6,287,893) in view of Kim (US 5,854,513) further in view of Kitayama et al. (US 5,646,439).

20. Regarding claims 15 and 16, Elenius in view of Kim teaches most aspects of the instant invention including a passivation comprising a topmost layer of the electronic component. Elenius in view of Kim does not disclose that the passivation layer

comprise a nitride layer or a layer having a thickness greater than 0.35 micrometers. Nevertheless, Kitayama disclose that a passivation layer made of silicon nitride and having a thickness of more than 0.35 micrometer protects the wafer from moisture (col. 3/lls. 22-35). It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the passivation layer disclosed by Elenius in view of Kim of silicon nitride and having a thickness greater than 0.35 as suggested by Kitayama in order to protect the internal circuits formed within the wafer from moisture and because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

21. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Elenius et al. (US 6,287,893) in view of Kim (US 5,854,513) further in view of Harper.

22. Regarding claim 21, Elenius in view of Kim teaches most aspects of the instant invention including a bump. Elenius in view of Kim does not teach that the bump can be made of a lead free alloy. Nevertheless, Harper (e.g. table 5.3) teaches several suitable lead free solder alloys that are compatible with the surface mount technology. Harper's table 5.3 discloses melting ranges of common solder alloys. It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the bump disclosed by Elenius in view of Kim of a lead free alloy such as 95Sn/5Ag as suggested by Harper because this alloy has a relative high melting point, a high creep resistance (see table 5.5), it is more environmental friendly than lead alloys, and because it has been held to be within the general skill of a worker in the art to

select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

23. Claims 27-29, 32-34, 40-42 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lam et al. (US 6,511,901) in view of Liao et al. (US 6,590,295).

24. Regarding claim 27, Lam (e.g. fig. 2A-2I) shows a semiconductor substrate 104; a bond pad 102 structure over the semiconductor substrate; a passivation layer 202 exposes a top surface of the metallization structure; a patterned circuit layer 204-208 connected to the top surface, wherein the patterned circuit layer comprises a first portion 214 having a bump 122 formed thereover and a second portion 216 used to be wirebonded thereto (col. 1/23-33 & co. 2/lls. 30-51).

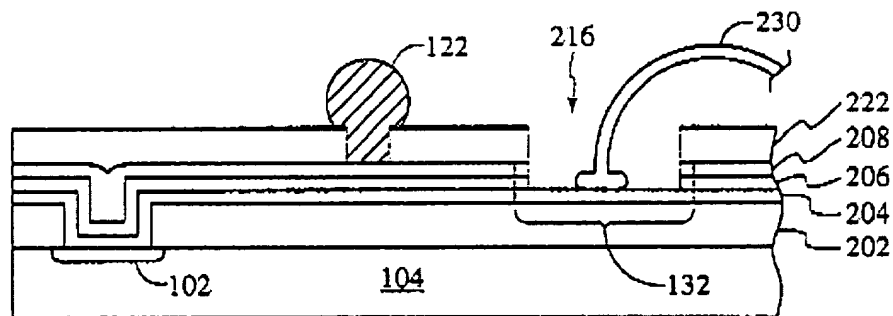


FIG. 2I

Lam does not explicitly disclose that the bond pad structure 102 is a metallization structure. Nevertheless, Liao (e.g. fig. 3) shows an analogous circuitry including a bond pad 14, which is a metallization structure.



28. Regarding claims 40 and 41, Lam shows solder bump 122 over the first portion (col. 2/lis. 39-41).

29. Regarding claim 42, Lam shows a copper layer between the bump and the first portion (col. 3/lls. 1-10).

30. Regarding claim 44, Lam shows a wirebonded wire 230 bonded over the second portion.

31. Claims 30, 31 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lam et al. (US 6,511,901) in view of Liao et al. (US 6,590,295) further in view of Elenius et al. (US 6,287,893).

32. Regarding claims 30 and 31, Lam in view of Liao teaches most aspects of the instant invention including a passivation layer but does not disclose a polymer layer over the passivation layer wherein the patterned circuit layer is a over the polymer layer. Therefore, Lam in view of Liao does not teach that the polymer layer comprises polyimide. Nevertheless, Elenius (e.g. fig. 2) shows a polymer layer 24 made of polyimide over a passivation layer 22 wherein a pattered circuit layer 30 is over the polymer layer (col. 6/lls. 51-56). According to Elenius, this embodiment protect the solder bumps from fatigue induced by thermal coefficient differentials (col. 3/lls. 14-22). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include a polymer layer such as polyimide over the passivation layer disclosed by Lam in view of Liao wherein the patterned circuit layer is a over the polymer layer to protect the solder bumps from fatigue induced by thermal coefficient differentials.

33. Regarding claim 33, Lam in view of Liao teaches most aspects of the instant invention except for a polymer layer/passivation layer that comprises polyimide.

Nevertheless, Elenius teaches that polyimide is a suitable material for passivation layers (col. 7/lls. 4-55). It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the passivation layer disclosed by Lam in view of Liao of polyimide as suggested by Elenius since polyimide is a preferable material from the viewpoint of costs and ease of machining and because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

34. Claims 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lam et al. (US 6,511,901) in view of Liao et al. (US 6,590,295) further in view of Kitayama et al. (US 5,646,439).

35. Regarding claims 38 and 39, Lam in view of Liao teaches most aspects of the instant invention including a passivation comprising a topmost layer of the electronic component. Lam in view of Liao does not disclose that the passivation layer comprise a nitride layer or a layer having a thickness greater than 0.35 micrometers. Nevertheless, Kitayama disclose that a passivation layer made of silicon nitride and having a thickness of more than 0.35 micrometer protects the wafer from moisture (col. 3/lls. 22-35). It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the passivation layer disclosed by Lam in view of Liao of silicon nitride and having a thickness greater than 0.35 as suggested by Kitayama in order to protect the internal circuits formed within the wafer from moisture and because it has been held to be within the general skill of a worker in the art to select a known material

on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

36. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lam et al. (US 6,511,901) in view of Liao et al. (US 6,590,295) further in view of Kim (US 5,854,513) further in view of Harper.

37. Regarding claim 43, Lam in view of Liao further in view of Kim teaches most aspects of the instant invention including a bump. Lam in view of Liao further in view of Kim does not teach that the bump can be made of a lead free alloy. Nevertheless, Harper (e.g. table 5.3) teaches several suitable lead free solder alloys that are compatible with the surface mount technology. Harper's table 5.3 discloses melting ranges of common solder alloys. It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the bump disclosed by Lam in view of Liao further in view of Kim of a lead free alloy such as 95Sn/5Ag as suggested by Harper because this alloy has a relative high melting point, a high creep resistance (see table 5.5), it is more environmental friendly than lead alloys, and because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416

Response to Arguments

38. Applicant's arguments filed on 06/12/2006 have been considered but they are not persuasive.

39. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

40. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Kim teaches type of embodiment prevent decreases in testing reliability caused by damages on the surface of the bump and polluting material thereby enhancing its yield with respect to bonding (col. 2/lls. 10-30). Furthermore, if a prima facie case of obviousness is established, the burden shifts to the applicant to come forward with arguments and/or evidence to rebut the prima facie case. See, e.g., *Dillon*, 919 F.2d at 692, 16 USPQ2d at 1901. Rebuttal evidence and arguments can be presented in the specification, *In re Soni*, 54 F.3d 746, 750, 34 USPQ2d 1684, 1687 (Fed. Cir. 1995), by counsel, *In re Chu*, 66 F.3d 292, 299, 36 USPQ2d 1089, 1094-95 (Fed. Cir. 1995), or by way of an affidavit or declaration under 37 CFR 1.132, e.g., *Soni*, 54 F.3d at 750, 34 USPQ2d at 1687; *In re Piasecki*, 745 F.2d 1468, 1474, 223 USPQ 785, 789-90 (Fed. Cir. 1984). However,

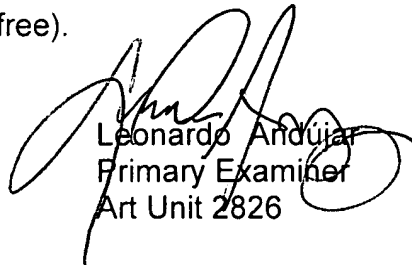
arguments of counsel cannot take the place of factually supported objective evidence. See, e.g., *In re Huang*, 100 F.3d 135, 139-40, 40 USPQ2d 1685, 1689 (Fed. Cir. 1996); *In re De Blauwe*, 736 F.2d 699, 705, 222 USPQ 191, 196 (Fed. Cir. 1984).

Conclusion

41. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonardo Andújar whose telephone number is 571-272-1912. The examiner can normally be reached on Mon through Thu from 9:00 AM to 7:30 PM EST.

42. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Leonardo Andújar
Primary Examiner
Art Unit 2826